

ASSEMBLY BILL

No. 2077

Introduced by Assembly Member Allen

February 20, 2014

An act to amend Section 17510.2 of the Business and Professions Code, relating to charitable solicitations.

LEGISLATIVE COUNSEL'S DIGEST

AB 2077, as introduced, Allen. Charitable solicitations.

Existing law requires the solicitor or seller of a solicitation for charitable purposes to comply with specified requirements prior to making that solicitation. Existing law defines the term “solicitation for charitable purposes” to mean any request, plea, entreaty, demand, or invitation, or attempt thereof, to give money or property, in connection with which, among other things, any statement is made to the effect that the gift or any part thereof will go to, or be used for, any charitable purpose or organization.

This bill would make a technical, nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17510.2 of the Business and Professions
- 2 Code is amended to read:
- 3 17510.2. (a) As used in this article, “solicitation for charitable
- 4 purposes,” means any request, plea, entreaty, demand, or invitation,

1 or attempt thereof, to give money or property, in connection with
2 which any of the following applies:

3 (1) Any appeal is made for charitable purposes.

4 (2) The name of any charity, philanthropic or charitable
5 organization is used or referred to in any such appeal as an
6 inducement for making any such gift.

7 (3) Any statement is made to the effect that the gift or any part
8 thereof will go to or be used for any charitable purpose or
9 organization.

10 (4) The name of any organization of law enforcement personnel,
11 firefighters, or *any* other persons who protect the public safety is
12 used or referred to as an inducement for transferring any money
13 or property, unless the only expressed or implied purpose of the
14 solicitation is for the sole benefit of the actual active membership
15 of the organization.

16 (b) As used in this article, “sales solicitation for charitable
17 purposes” means the sale of, offer to sell, or attempt to sell any
18 advertisement, advertising space, book, card, chance, coupon
19 device, magazine subscription, membership, merchandise, ticket
20 of admission or any other thing or service in connection with which
21 any of the following applies:

22 (1) Any appeal is made for charitable purposes.

23 (2) The name of any charity, philanthropic or charitable
24 organization is used or referred to in any such appeal as an
25 inducement for making any such sale.

26 (3) Any statement is made to the effect that the whole or any
27 part of the proceeds from the sale will go to or be used for any
28 charitable purpose or organization.

29 (4) The name of any organization of law enforcement personnel,
30 firefighters, or other persons who protect the public safety is used
31 or referred to as an inducement for transferring any money or
32 property, unless the only expressed or implied purpose of the sales
33 solicitation is for the sole benefit of the actual active membership
34 of the organization.

35 (c) A solicitation for charitable purposes, or a sale, offer or
36 attempt to sell for charitable purposes, shall include the making
37 or disseminating or causing to be made or disseminated before the
38 public in this state, in any newspaper or other publication, or any
39 advertising device, or by public outcry or proclamation, or in any
40 other manner or means whatsoever any such solicitation.

1 (d) For purposes of this article, “charity” shall include any
2 person who, or any nonprofit community organization, fraternal,
3 benevolent, educational, philanthropic, or service organization, or
4 governmental employee organization which, solicits or obtains
5 contributions solicited from the public for charitable purposes or
6 holds any assets for charitable purposes.

O